



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

ROBERT E. KALUNIAN
Acting County Counsel

October 6, 2009

TELEPHONE
(213) 974-7546
FACSIMILE
(213) 613-4751
TDD
(213) 633-0901
E-MAIL
lhafetz@counsel.lacounty.gov

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

#14 OCTOBER 6, 2009

Agenda No. 11
02/24/09

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**Re: PROJECT NO. R2006-03317-(5)
CONDITIONAL USE PERMIT CASE NO. 2006-00255-(5)
FIFTH SUPERVISORIAL DISTRICT/THREE-VOTE MATTER**

Dear Supervisors:

Your Board previously conducted a hearing regarding the above-referenced permit which sought to authorize the construction of a five-unit apartment complex on a 14,211-square-foot site, located at 2128 Glenada Avenue in the unincorporated area of La Crescenta-Montrose. At the completion of the hearing you indicated an intent to deny the permit and instructed us to prepare findings for denial. Enclosed are findings for your consideration.

Very truly yours,

ROBERT E. KALUNIAN
Acting County Counsel

By *[Signature]*
LAWRENCE L. HAFETZ
Principal Deputy County Counsel
Property Division

APPROVED AND RELEASED:

[Signature]
JOHN F. KRATTLI
Senior Assistant County Counsel

LLH:SH
Enclosure

HOA.643516.1

**FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
PROJECT NUMBER R2006-03317-(5)
CONDITIONAL USE PERMIT CASE NUMBER 2006-00255-(5)**

1. The Los Angeles County ("County") Board of Supervisors ("Board") conducted a duly-noticed public hearing in the matter of Conditional Use Permit Case No. 2006-00255-(5) ("CUP") on February 24, 2009. The County Regional Planning Commission ("Commission") previously conducted a duly-noticed public hearing on the CUP on October 8, 2008.
2. The applicant, Gevorg Voskanian, requests the CUP to authorize the construction of a five-unit apartment complex in two townhouse-style structures on a 14,211-square-foot site, located at 2128 Glenada Avenue in the unincorporated area of La Crescenta-Montrose. The two structures would contain two units and three units, respectively, and each unit would contain three bedrooms and two bathrooms. Parking would be provided in a subterranean garage.
3. The site is within the La Crescenta-Montrose Community Standards District ("CSD"), and the project would be subject to the multi-family housing standards in the CSD.
4. The site is zoned R-2 (Two-family Residence), where two-family residences are permitted by right and multi-family apartment complexes are permitted with a conditional use permit.
5. The surrounding properties are zoned as follows:

North:	R-2;
South:	R-3 (Limited Multiple Residence);
East:	R-2; and
West:	R-2.
6. The land use designation for the subject property in the Los Angeles Countywide General Plan ("General Plan") is "3" - Medium Density Residential, which allows 12-22 dwelling units per acre. The project would be consistent with this land use designation in the General Plan.
7. An existing single-family residence was located at the site when the Commission held its public hearing for the project, which the applicant indicated would be demolished in connection with the project. By the time of the Board's public hearing for the project, the single-family residence had been demolished.
8. Prior to the Commission's October 8, 2008 public hearing, staff of the County Department of Regional Planning ("Regional Planning") determined that the project was categorically exempt from the California Environmental Quality Act

("CEQA") under Class 3 of the State CEQA Guidelines for new construction and/or conversion of small structures.

9. Prior to the Commission's public hearing, Regional Planning staff received significant correspondence in opposition to the project, including a letter from the Crescenta Valley Town Council opposing the project. The correspondence raised a number of concerns regarding the project, including concerns that the project's density would have significant adverse impacts on neighborhood character, traffic, the valuation of nearby single-family residences, and the already existing off-street parking shortage in the area.
10. At the Commission's October 8, 2008 public hearing, the Commission heard a presentation from Regional Planning staff, testimony from the applicant's representative, and testimony from persons in favor of and in opposition to the project.
11. Testimony in favor of the project addressed the need for multi-family housing in the area, the project's consistency with the General Plan's land use designation, and the applicant's previous projects benefiting the area.
12. Testimony in opposition to the project raised concerns similar to those raised in the correspondence received prior to the hearing, described in Finding No. 9.
13. At the Commission's public hearing, the Commission found that the applicant's proposed side-yard setback, ranging from nine to 11 feet, was consistent with the CSD's 10-foot requirement for side-yard setbacks since it adequately buffered the project from the adjacent single-family residential lot.
14. At the Commission's public hearing, the applicant proposed providing an additional covered parking space per unit, which would result in three parking spaces per unit, in response to the opponents' concerns regarding parking.
15. After hearing all testimony, the Commission closed the public hearing and approved the CUP, subject to the conditions of approval proposed by Regional Planning staff, with an additional condition requiring the use of certain construction materials for the project's pillars facing Glenada Avenue.
16. Pursuant to section 22.60.200(B) of the Los Angeles County Code ("County Code"), the Board called the CUP up for review. Prior to the Board's public hearing, the Board received significant correspondence in opposition to the project.
17. The Board conducted its public hearing for the project on February 24, 2009. At the public hearing, the Board heard a presentation from Regional Planning staff, testimony from the applicant and his representatives, and testimony in support of, and in opposition to the project.

18. Testimony in support of the project generally addressed the need for housing in the area, the project's unique design, and the project's compatibility with the surrounding community.
19. Testimony in opposition to the project included testimony from the Far North Glendale Homeowners Group and a voting member of the Glendale Homeowners Coordinating Council who raised concerns similar to those raised at the Commission. The opponents asserted that the project would unreasonably increase density and congestion on Glenada Avenue, a quiet residential street, and that it would have a significant negative impact on neighborhood character, parking, and traffic in the area. The opponents further asserted that a two-unit project, permitted in the R-2 zone by right, would be significantly more appropriate for the location than the proposed five-unit apartment complex, which requires a conditional use permit in the R-2 zone.
20. The Board finds that the project is located on Glenada Avenue, a quiet residential street with approximately one dozen residences that are primarily single-family or two-family structures. The Board further finds that the residences are primarily one story in height.
21. The Board finds that the larger developments in the area more comparable to the instant project are oriented toward Montrose Avenue, a secondary highway, as opposed to Glenada Avenue, which is a quiet residential street.
22. The Board finds that a two-unit project, permitted in the R-2 zone by right, would be more appropriate for this site than the proposed project.
23. The Board finds that the proposed project may cause adverse impacts to the surrounding property owners.
24. The Board finds that the proposed project at this location may jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare of the neighboring community, and would not constitute good zoning practice.
25. The Board finds that the proposed use will be materially detrimental to the use, enjoyment, and/or valuation of property of persons living in the vicinity of the facility.
26. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is at the Los Angeles County Department of Regional Planning, Hall of Records, 13th Floor, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS CONCLUDES:

1. That the requested use at the proposed location will adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare;
2. That placement of the proposed use at such location will not be in the interest of public health, safety, and/or general welfare, nor in conformity with good zoning practice; and
3. That the information submitted by the applicant and presented at the public hearing does not substantiate the required findings and burden of proof for the CUP as set forth in section 22.56.090.

THEREFORE, THE BOARD OF SUPERVISORS:

Denies Project No. R2006-03317-(5), consisting of Conditional Use Permit No. 2006-00255-(5).

EXECUTIVE OFFICE – BOARD OF SUPERVISORS

AGENDA ENTRY

DATE OF MEETING	OCTOBER 6, 2009
DEPARTMENT NAME:	COUNTY COUNSEL
BOARD LETTERHEAD:	
SUPERVISORIAL DISTRICT AFFECTED:	FIFTH
VOTES REQUIRED:	3
CHIEF INFORMATION OFFICER'S RECOMMENDATION:	<input type="checkbox"/> APPROVE <input type="checkbox"/> APPROVE WITH MODIFICATION <input type="checkbox"/> DISAPPROVE

******* ENTRY MUST BE IN MICROSOFT WORD *******

Instructions: To comply with the Brown Act requirement, the reader should fully understand what the department is asking the Board to approve. The recommendation must describe what the action is for, with whom the action is being taken, fiscal impact, including money amounts, funding sources and effective dates. Also, include an instruction for the Chair(man) or Director to sign when such signature is required on a document.

Recommendation:

Adopt findings and order relating to Project No. R2006-03317-(5), Conditional Use Permit Case No. 2006-00255-(5), denying the construction of a five-unit apartment complex on a 14,211-square-foot site, located at 2128 Glenada Avenue in the unincorporated area of La Crescenta-Montrose, applied for by Gevorg Voskanian. DENY (On February 24, 2009, the Board indicated its intent to deny) (County Counsel).